

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/30/13

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE: WORLD TRADE CENTER LOWER MANHATTAN
DISASTER SITE LITIGATION

-----X
WALDEMAR ROPEL and KRYSTYNA ROPEL

Plaintiffs,

-against-

THE BANK OF NEW YORK COMPANY, INC., et al.,

Defendants.
-----X

21MC 102(AKH)

06 CV 1520


STIPULATION OF
DISCONTINUANCE AS
TO 233 BROADWAY,
OWNERS, LLC, ONLY

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
~~the attorneys of record for the parties to the above entitled action, that~~ whereas no party hereto
is an infant or incompetent person for whom a committee has been appointed, and no person
not a party has an interest in the subject matter of the action, the above entitled action be, and
the same hereby is discontinued against **233 Broadway Owners, LLC**, *without prejudice*,
without costs to either party as against the other.


IT IS HEREBY STIPULATED AND AGREED, that should evidence be
discovered throughout the course of the litigation which determines that "233 Broadway
Owners, LLC", are proper parties to this suit, that plaintiff(s) may reinstate the action without
regard to the applicable Statute of Limitations, assuming said original action was timely
commenced, and in such instance Defendant shall not assert Statute of Limitations as a
defense.

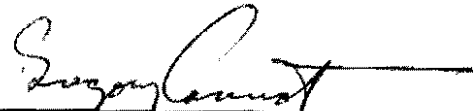
This Stipulation may be filed without further notice with the Clerk of the Court and
defendant will obtain, if necessary, any Judicial "So Order" of this Stipulation and any other
signatory, if necessary.

Dated: August 22, 2013
Melville, New York


by: Margaret Herrmann, Esq. (MH3676)
Lawrence, Worden, Rainis & Bard, P.C.
Attorneys for Defendants
225 Broad Hollow Road, Suite 105E
Melville NY 11747
(631) 694-0033

SO ORDERED:

8/29/13

U.S.D.J.


by: Gregory Cannata, Esq. (GC1835)
Gregory J. Cannata & Associates
Attorneys for Plaintiffs
233 Broadway
New York NY 10279
(212) 553-9206

LAWRENCE, WORDEN, RAINIS & BARD, P.C.

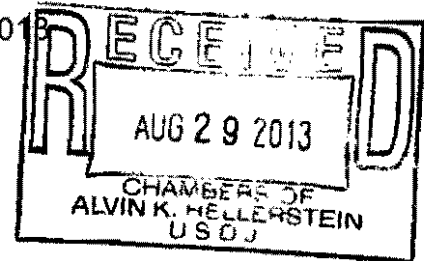
ATTORNEYS AT LAW

425 BROAD HOLLOW ROAD, SUITE 120
MELVILLE, NEW YORK 11747
TELEPHONE (631) 694-0033
TELEFAX (631) 694-9331
www.lwrlawyer.com

MARGARET HERRMANN
Principal
Direct Line: (631) 694-0033 x 227
mherrmann@lwrlawyer.com

August 26, 2013

Hon. Justice Alvin K. Hellerstein
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 14D
New York NY 10007-1312



Re: Ropel v. The Bank of New York, et al
Our File No.: 11-2446-06
Docket No.: 06Civ1520/ 21 MC 102 (AKH)

Dear Hon. Justice Hellerstein:

Attached please find a stipulation of discontinuance issued by Gregory J. Cannata on behalf of his firm to my client, 233 Broadway Owners, LLC, in the above action. If the stipulation meets with your approval, kindly "so order" the stipulation so that we may file same with the Court under the appropriate docket number.

Thank you for your assistance. Please feel free to contact the undersigned should you have any questions regarding the above.

Very truly yours

A handwritten signature in cursive script that reads "Margaret Herrmann".

Margaret Herrmann

MH/hr
Enc.

CC: Gregory J. Cannata & Associates
233 Broadway, 5th Floor
New York NY 10279-0003
(212) 553-9206/Fax: (212) 227-4141